

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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FINANCIAL GUARANTY INSURANCE COMPANY, :

Plaintiff, :

-v- :

THE PUTNAM ADVISORY COMPANY, LLC, :

Defendant. :  
-----X

12-cv-7372 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

The Court is in receipt of FGIC's motion to strike Putnam's deposition designations, Dkt. No. 363, Putnam's response, Dkt. No. 365, and FGIC's reply, Dkt. No. 366. Putnam's response advised that, at this time, Putnam only seeks admission of its deposition designations for Ms. Menhenett, Ms. Skelton, Ms. Finkel, and Mr. Adams.

FGIC's motion is DENIED. The motion is denied because the designations are admissible as statements offered against an opposing party pursuant to Federal Rule of Evidence 801(d)(2).

The Court reserves judgment on FGIC's renewed motion to admit Dr. Longstaff's testimony until after closing statements. FGIC has leave to refer to the testimony during closing statements subject to being stricken if the Court adheres to its earlier decision. Putnam shall offer any cross-designations under the rule of completeness by Wednesday, July 29, 2020, at 5:00 p.m.

SO ORDERED

Dated: July 27, 2020  
New York, New York



LEWIS J. LIMAN  
United States District Judge